



Ein cyf/Our ref

To: Chief Planning Officers

1 March 2022

Dear Chief Planning Officers

Planning Policy Wales (PPW) paragraphs 3.58 and 3.59 outlines national policy towards safeguarding Wales' Best and Most Versatile (BMV) agricultural land.

Future Wales, the National Plan 2040, identifies BMV agricultural land as a national natural resource under Policy 9.

Further guidance is provided in Technical Advice Note (TAN) 6, including the consultation arrangements with the Welsh Government included at Annex B*; and, Practice Guidance: Planning Implications of Renewable and Low Carbon Energy).

Specifically PPW states that:-

'.....in development plan policies and development management decisions **considerable weight** should be given to protecting such [BMV] land from development, because of its special importance. Land in grades 1, 2 and 3a should **only** be developed if there is an overriding need for the development, and either previously developed land or land in lower agricultural grades is unavailable, or available lower grade land has an environmental value recognised by a landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations.

The purpose of this letter is to clarify that in accordance with Welsh Government policy outlined above, where BMV land is identified within a proposed solar PV array development, considerable weight should be given to protecting such land from development, because of its special importance, and unless other significant material considerations indicate otherwise it will be necessary to refuse permission. I have instructed officials to monitor closely proposals that would involve the loss of BMV land.

Local Planning Authorities (LPA's) are required to consult with the Welsh Government before granting planning permission for any proposals which do not accord with the Development Plan and would involve the loss (both permanent and temporary) of 20 hectares or more of BMV land. This includes losses which are less than 20 hectares but likely to lead to further losses amounting cumulatively to 20 hectares or more (Article 14 (1) of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012/801 imposes this requirement).

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Whilst LPA's are not required to consult with the Welsh Government on planning applications which do not 'trigger' the statutory requirement as set out in Annex B, paragraph B2, any loss of BMV land may be a material consideration in the determination of planning applications.

For planning applications which do not 'trigger' the statutory requirement, as set in in Annex B, paragraph B2, the Welsh Government may take the initiative in commenting on planning applications as set out under Annex B, paragraph B5.

Should solar PV array applications on BMV agricultural land come before the Department for Climate Change, the Department will object to the loss of BMV agricultural land unless other significant material considerations outweigh the need to protect such land in accordance with Welsh Government policy and guidance outlined above.

When considering the search sequence and in development plan policies and development management decisions it is important to have access to accurate land quality information. The freely available [Predictive Agricultural Land Classification \(ALC\) Map 2](#) (version 2, 2019) published by Welsh Government identifies BMV land locations. Further guidance on it use and the need for ALC surveys can be found here - [Agricultural land classification: predictive map guidance | GOV.WALES](#).

ALC surveys are complex and the reports technical in nature and the Welsh Government therefore offers a free ALC report validation service which we would encourage LPAs to utilise. All consultations can be emailed to the Land Quality Advisory Service: LQAS@gov.wales

Yours sincerely



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Y Gweinidog Newid Hinsawdd
Minister for Climate Change

* TAN6 Annex B Reference - Article 10 of the GDPO 1995 was revoked by the Town and Country Planning (Development Management Procedure) (Wales) Order 2012/801 and replaced by article 14(1) of this Order. References to SEED are now replaced by [Land Quality Advice Service](#).